

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Crim. No. 20-150 NEB/BRT

Plaintiff,

v.

ARRAIGNMENT ORDER

Gregory Lynn McCoy,

Defendant.

An indictment was filed on July 28, 2020, in the above matter. (Doc. No. 1.) A hearing was held before the undersigned United States Magistrate Judge on August 4, 2020. Defendant McCoy was present in court with his attorney, Kevin O'Brien, CJA. The government was represented by Joseph Teirab, Assistant United States Attorney.

The Defendants identified himself by name and age; waived the reading of the indictment; and entered a plea of not guilty.

Pursuant to Local Rule 12.1 (copy attached), IT IS HEREBY ORDERED

that:

1. The government must make all disclosures required by Federal Rule of Criminal Procedure 16(a) by **August 10, 2020**. D. Minn. LR 12.1(a)(1). In order to avoid the need for a recess of the motions hearing, the government is requested to make, by **August 10, 2020**, all disclosures which will be required by Fed. R. Crim. P. 26.2 and 12(h).

2. Defendant must make all disclosures required by Federal Rule of Criminal Procedure 16(b) by **August 17, 2020**. D. Minn. LR 12.1(a)(2).

3. All motions in the above-entitled case must be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **August 24, 2020**.¹ D. Minn. LR 12.1(c)(1). **Counsel are advised that Magistrate Judge Thorson does not require any courtesy copies related to pretrial motions. Counsel must electronically file a letter on or before August 24, 2020 if no motions will be filed and there is no need for hearing.**

4. All responses to motions must be filed by **September 8, 2020**. D. Minn. LR 12.1(c)(2).

6. Any Notice of Intent to Call Witnesses must be filed by **September 8, 2020**. D. Minn. LR. 12.1(c)(3)(A).

7. Any Responsive Notice of Intent to Call Witnesses must be filed by **September 11, 2020**. D. Minn. LR 12.1(c)(3)(B).

8. A motions hearing will be held pursuant to Federal Rules of Criminal Procedure 12(c) where:

- a. The government makes timely disclosures and Defendant identifies in the motions particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

¹ “Before filing a motion under Fed. R. Crim. P. 12(b), the moving party must confer with the responding party. The parties must attempt in good faith to clarify and narrow the issues in dispute.” D. Minn. LR 12.1(b).

9. In the event motions are filed, and a hearing is required, the hearing will be set for **September 17, 2020, at 9:00 a.m.** before Magistrate Judge Becky R. Thorson. At this time, it is uncertain whether the Court will be able to hold an in-person hearing as scheduled due to the COVID-19 pandemic. Thus, if an in-person hearing cannot be held on this date, a hearing by video conference will be arranged for this date instead. The Court will update the parties on the status of the availability of an in-person hearing by **September 4, 2020**. If only a video conference hearing is available at that time, counsel for the Defendant must file a letter by **September 8, 2020** indicating whether the Defendant consents to proceeding with the hearing by video conference. If the Defendant does not consent to proceed by videoconference, the motions hearing be held in person at a later date and time.

10. TRIAL

**a. IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT:
the following trial and trial-related dates are:**

All voir dire questions, jury instructions, and trial related motions (including motions in limine) must be submitted to District Judge Nancy E. Brasel on or before **September 28, 2020**.

This case shall commence trial on **October 5, 2020, at 9:00 a.m.** before District Judge Nancy E. Brasel in Courtroom 3A, Warren E. Burger Federal Building and U.S. Courthouse, 316 North Robert Street, **ST. PAUL**, Minnesota.

b. IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Nancy E. Brasel to confirm the new trial date.

Dated: August 6, 2020

s/ Jon T. Huseby
Honorable Jon T. Huseby
United States Magistrate Judge